Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.? ☐	Hit? ☒
11-06-09	FOR II - Lennox Station		

Incident Information

URN: 009-10612-0334-013	Date: 11-03-09	Time: 2228
City or Station: Lawndale	Nature of Incident: Suspect responded to suspect's home regarding disturbance. Upon trying to detain, he shot at deputies, who shot back. Suspect dropped weapon but continuously reached for it, causing deputies and other officers to shoot suspect. Suspect deceased.	
Location: 16400 Prarie Avenue		

Location Type (*circle one or more*):	Lighting (*circle only one*):	Incident Type (*circle one or more*):	Initiated by (*circle only one*):
Backyard Beach Business Freeway Industrial Park Parking Lot Residence Rural School **(Street)** Other: ______	**(Darkness)** Daylight Other Street Lights Weather (*circle only one*): **(Clear)** Cloudy Fog Rain Distance: 20-25 Feet	Accidental **(Armed Person)** Fleeing Suspect Foot Pursuit Gun Take Away Moving Vehicle Sniper/Ambush Startle Struggle Involved Traffic Stop Unarmed Person Unintentional Vehicle Pursuit Warrant Service Warning Shot Other: ______	Arrest Warrant **(Call)** Observation One Person Unit Other Search Warrant Two Person Unit Prior Activity (*circle only one*): Detective Inmate Transport Other **(Routine Patrol)** Aero Unit? ☐ Canine Unit? ☐
Total # of Shots Fired by Deputy: unknown	Total # of Shots Fired by Suspect: unknown		

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*):	ShiftType (*circle only one*):
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.		
[redacted]	[redacted]	[redacted]		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
Gardena Police Officer				
Last Name	**First Name**	**M.I.**		
[redacted]	[redacted]	[redacted]		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
Gardena Police Officer				
Last Name	**First Name**	**M.I.**		
[redacted]	[redacted]	[redacted]		
Street Address	**City**	**Zip Code**	**Work Ph**	**Home Ph**
Hawthorne Police Officer				

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*):
[redacted]	[redacted]	[redacted]		On Duty; **(Present during shooting)**; Witness to shooting; Involved in shooting
				On Duty; Present during shooting; Witness to shooting; Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	[redacted]

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Wegener	Kent	

PSTD Use Only
SH # ______

SH-R-438A rev. 3/07

See Reverse

Officer Involved Shooting

URN: 009-10612-0334-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
11-03-09	0020	11-06-09	

Employee #	Last Name	First Name	M.I
[redacted]	Kusch	Roderick	
[redacted]	Flores	Carlos	
[redacted]	Strong	Eric	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	FH	ZZ	WW			GS	SH
S#1	E#2	FH	ZZ	WW			NN	NN
S#1	E#3	FH	ZZ	WW			NN	NN
S#1	E#4	FH	ZZ	WW			NN	NN
E#1	S#1	FH	BR	9	Y	Y	GS	AD
E#2	S#1	FH	BR	9	Y	Y	GS	AD
E#3	S#1	FH	BR	9	Y	Y	GS	AD
E#4	S#1	FH	BR	9	Y	Y	GS	AD

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 009-10612-0334-013

Involved Employee

E 1

Employee # [redacted]	Last Name: Digiovanni	First Name: Richard	M.I.
Sex: M Race: White	Rank: Deputy	Unit Assignment: Lennox Station	Work Assignment (Unit #, Module, etc.): Unit 35
ShiftTime (*circle only one*): EM (circled) PM Day	ShiftType (*circle only one*): Regular (circled) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☒	Hospital Name: Harbor General	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest (circled)	Other Factors:
Age: [redacted] Height: 506	Weight: 200		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9MM	# Shots: 22	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 2

Employee # [redacted]	Last Name: Regalado	First Name: Anthony	M.I.
Sex: M Race: White	Rank: Deputy	Unit Assignment: Lennox Station	Work Assignment (Unit #, Module, etc.): Unit 35A
ShiftTime (*circle only one*): EM (circled) PM Day	ShiftType (*circle only one*): Regular (circled) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest (circled)	Other Factors:
Age: [redacted] Height: 505	Weight: 165		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9MM	# Shots: 9	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 3

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Sex: [redacted] Race: [redacted]	Rank: [redacted]	Unit Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): [redacted]
ShiftTime (*circle only one*): [redacted] PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty (circled)	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest (circled)	Other Factors:
Age: [redacted] Height: [redacted]	Weight: [redacted]		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9MM	# Shots: 4	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

See Other Side

Officer Involved Shooting
Involved Employee Information

URN: 009-10612-0334-013

Involved Employee

E 4

Employee # [redacted]	Last Name: Gooseberry	First Name: Erica	M.I.
Sex: F Race: Black	Rank: Deputy	Unit Assignment: Lennox Station	Work Assignment (Unit #, Module, etc.): 31B
ShiftTime (*circle only one*): (EM circled) PM Day	ShiftType (*circle only one*): (Regular circled) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☒
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest (circled)	Other Factors:
Age: [redacted] Height: 505	Weight: 145		
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] / Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] / Directed Force: [redacted]
Weapons Fired Brand: Beretta	Caliber: 9MM / # Shots: 6	Weapons Fired Brand:	Caliber / # Shots
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: / Prior Shootings? ☐	Number of Prior Shootings: / Directed Force: ☐
Weapons Fired Brand:	Caliber / # Shots	Weapons Fired Brand:	Caliber / # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E__

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: / Prior Shootings? ☐	Number of Prior Shootings: / Directed Force: ☐
Weapons Fired Brand:	Caliber / # Shots	Weapons Fired Brand:	Caliber / # Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 009-10612-0334-013

Suspect Information

S 1

Last Name: Aguiar	First Name: Juan	M.I.: Carlos
AKA Last Name: Pac man	First Name:	M.I.:

Sex: M Race: Hispanic	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone: ------	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 29 D.O.B. 10-12-80	Height: 511 Weight: 195	FBI #: [redacted]	CII #: [redacted]
Booking #: ------	Primary Charge: ------	Secondary Charge: ------	
Coroner Case? ☒	Coroner Case #: 2009-07532	Intoxication/Drug Usage? ☒	Substance Used: Methamphetamine
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: ------		Model: ------	Year: ------

S __

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S __

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

S __

Last Name:	First Name:	M.I.:
AKA Last Name:	First Name:	M.I.:

Sex: Race:	Street Address:	City:	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #:	CII #:
Booking #:	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #:	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make:		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	Hawthorne Police Officer			
[redacted]	[redacted]	[redacted]	Hawthorne Police Officer			
[redacted]	[redacted]	[redacted]	Hawthorne Police Officer			
[redacted]	[redacted]	[redacted]	Hawthorne Police Officer			
[redacted]	[redacted]	[redacted]	Hawthorne Police Officer			
[redacted]	[redacted]	[redacted]	Hawthorne Police Officer			
[redacted]	[redacted]	[redacted]	El Camino College Police Officer			
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING: HIT
SH# 2254639
URN 009-10612-0334-013

DATE / TIME / LOCATIONS

Tuesday, November 3, 2009
2228 hours
16400 Prairie Avenue, Lawndale

On November 3, 2009, at approximately 2218 hours, Deputy Richard Digiovanni, working Unit 35, and Anthony Regalado, working Unit 35A, received a call for service regarding a family disturbance, Tag 221. The call stated that the informant's [redacted] was "on drugs, possibly fighting family members."

IAB Note: A copy of the Incident Details, regarding Tag 221 is included in this case book. See **Miscellaneous Documents**. The call initially contained the wrong address, but was updated at 2223 hours.

The two deputies arrived at the location, [redacted], and contacted Witness [redacted]. Witness [redacted] told the deputies that her [redacted] Suspect Aguiar, had just left their residence, and was carrying a gun.

The deputies left the location and began looking for Suspect Aguiar. The deputies took different directions, in order to conduct a thorough search. Deputy Regalado responded to the "Alondra Golf Course," and observed a man standing in the south end of the parking lot of that location. He saw that the man fit the description that Witness [redacted] had given them. Deputy Regalado turned into the parking lot of the location, which is located on Prairie Avenue and 164th Street.

IAB Note: The male that Deputy Regalado observed was later determined to be Witness [redacted] Suspect Aguiar. Area and neighborhood maps of the location are included in this case book. See **Exhibit C**.

As Deputy Regalado turned into the parking lot, he advised Deputy Digiovanni, via "direct" on his portable radio, of his observations. Deputy Digiovanni then began responding to Deputy Regalado's location. Suspect Aguiar looked in Deputy Regalado's direction, and jumped the fence located on the south west portion of the parking lot. The suspect then began walking south on the east sidewalk of Prairie Avenue.

Deputy Regalado exited the parking lot, and began driving south in the north bound lanes of Prairie Avenue. Deputy Regalado followed the suspect, and stopped his vehicle north of the suspect's position. He then exited his vehicle, and attempted to detain the suspect

He then exited his vehicle, and attempted to detain the suspect at gunpoint. Deputy Digiovanni arrived at Deputy Regalado's location, and took a position just south-west of Deputy Regalado's vehicle.

As Deputy Digiovanni was arriving, Suspect Aguiar stopped and turned towards the deputies, while retrieving a handgun from his waistband. The suspect then shot at Deputy Digiovanni, striking him in the left shoulder area. Both deputies shot back at the suspect, at which time he began running south on the east sidewalk. As the suspect ran, he turned his body and again pointed his firearm in the deputies' direction. Deputy Digiovanni, shot back at the suspect, apparently hitting him. Suspect Aguiar fell on the sidewalk, and dropped his gun, which landed approximately one foot away. The deputies requested assistance, via radio, and advised that they had been involved in a shooting.

The deputies drove closer to the suspect, positioning their vehicles just north of the suspect's position. As they waited for assisting units, the deputies utilized their vehicles for cover, and detained the suspect at gunpoint. The deputies began shouting commands at the injured suspect, not to reach for the gun.

Suspect Aguiar began moving about, and at one point reached for the gun on the ground. Fearing that the suspect would again use the gun against them, the deputies fired several rounds at the suspect. The suspect momentarily stopped moving, but several seconds later, again made another attempt to retrieve his gun. The deputies fired several more rounds at the suspect, again halting his actions.

Officers from the Hawthorne Police Department, Gardena Police Department, and the El Camino College Police Department arrived, and took positions to the south and west of the suspect. Several deputies also arrived, and they began formulating a plan to approach and arrest Suspect Aguiar. Deputy Ericka Gooseberry and Deputy [redacted] relieved Deputy Digiovanni, who left his position in order to be treated for his injuries.

As assisting deputies planned their approach of the suspect, Deputies Regalado, Gooseberry, and [redacted], along with several assisting officers, held the suspect at gunpoint. They continuously shouted to the suspect not to move, and not to reach for his gun. Suspect Aguiar complied for a short while, but suddenly ignored their orders, and reached for his gun. The three deputies, along with several of the officers, fired numerous rounds at the suspect.

Suspect Aguiar was pronounced dead at the scene. Deputy Digiovanni was transported and treated at Harbor General Hospital in Torrance. He sustained a "through and through" gunshot wound to the back, behind his left shoulder.

IAB Note: Homicide Bureau's complete case book is included in this case book. See **Exhibit A**.

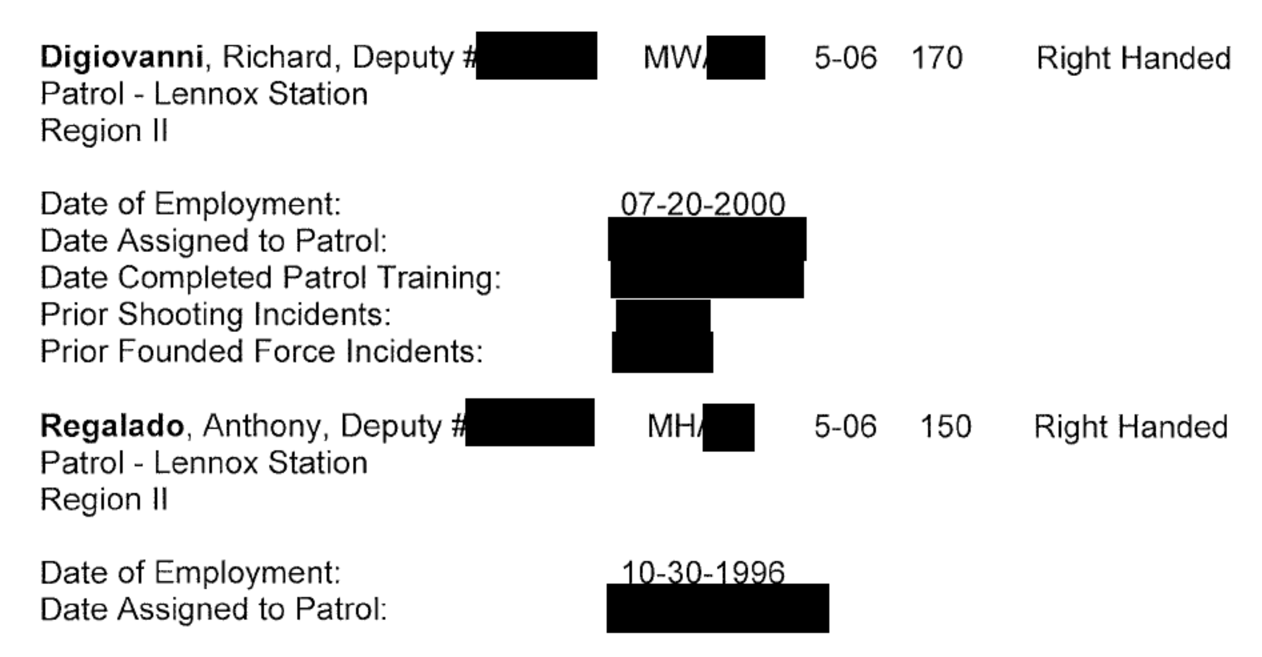
Internal Affairs Bureau Lieutenant Rod Kusch was notified, and Sergeants Carlos Flores and Eric Strong responded to Lennox Station to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses, involved deputies, and medical staff.

> **IAB Note:** Lieutenant Kusch checked to see that the watch commander, Lieutenant Kent Wegener, took reasonable steps to ensure that the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their attorney or representative. In addition, Lieutenant Kusch checked to see if the watch commander attempted to have involved and witness personnel gather in the company of a supervisor (Sergeants Glenn Brandon and Brian Hill) until they have provided a statement to the assigned investigators.

IAB SHOOTING / FORCE TEAM

Lieutenant Rod Kusch, Sergeant Carlos Flores, and Sergeant Eric Strong.

INVOLVED PERSONNEL

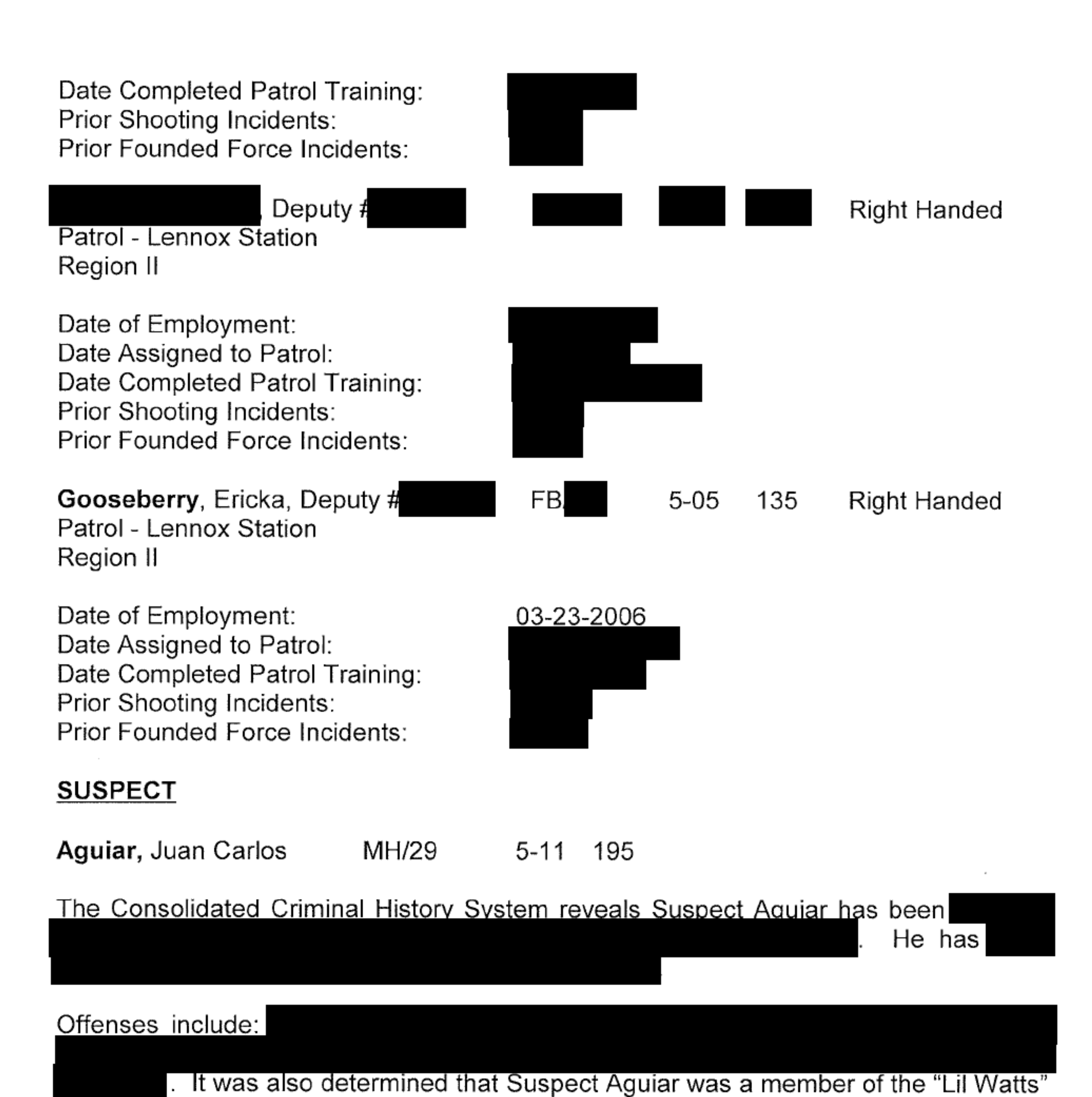


Digiovanni, Richard, Deputy #[redacted] MW/[redacted] 5-06 170 Right Handed
Patrol - Lennox Station
Region II

Date of Employment:	07-20-2000
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	
Prior Shooting Incidents:	
Prior Founded Force Incidents:	

Regalado, Anthony, Deputy #[redacted] MH/[redacted] 5-06 150 Right Handed
Patrol - Lennox Station
Region II

Date of Employment:	10-30-1996
Date Assigned to Patrol:	[redacted]



Date Completed Patrol Training: [redacted]
Prior Shooting Incidents:
Prior Founded Force Incidents:

[redacted], Deputy #[redacted] [redacted] [redacted] [redacted] Right Handed
Patrol - Lennox Station
Region II

Date of Employment: [redacted]
Date Assigned to Patrol:
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:

Gooseberry, Ericka, Deputy #[redacted] FB[redacted] 5-05 135 Right Handed
Patrol - Lennox Station
Region II

Date of Employment: 03-23-2006
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training:
Prior Shooting Incidents:
Prior Founded Force Incidents:

SUSPECT

Aguiar, Juan Carlos MH/29 5-11 195

The Consolidated Criminal History System reveals Suspect Aguiar has been [redacted]. He has [redacted]

Offenses include: [redacted]. It was also determined that Suspect Aguiar was a member of the "Lil Watts" Gang, and used the moniker "Pacman."

IAB Note: Suspect Aguiar's Criminal History Report is included in this case book. See **Exhibit B**.

EMPLOYEE WITNESSES

Several Sheriff's Department employees were interviewed by Homicide Bureau detectives. The employees interviewed stated that they heard gunshots, but did not actually witness the incident. For Homicide Bureau's interview summaries refer to **Exhibit A, Pages 106-187**.

NON-EMPLOYEE WITNESSES



[redacted], Police Officer, Gardena Police Department

[redacted] Police Officer, Gardena Police Department

[redacted], Sergeant, Hawthorne Police Department

[redacted], Police Officer, Hawthorne Police Department

[redacted], Police Officer, Hawthorne Police Department

[redacted], Police Officer, Hawthorne Police Department

[redacted], Police Officer, Hawthorne Police Department

[redacted] Police Officer, Hawthorne Police Department

[redacted], Police Officer, Hawthorne Police Department

[redacted] Police Officer, El Camino College Police Department

[redacted], MW/31, [redacted]

[redacted] FW/26, [redacted]

[redacted], MW/25, [redacted]

[redacted] FW/21, [redacted]

[redacted], MW/22, [redacted]

[redacted], FH/51, [redacted]

INJURIES

Suspect

Suspect Aguiar sustained multiple gunshot wounds to his head, torso and legs. He was pronounced dead at the scene.

> **IAB Note:** The Los Angeles County Coroner's Autopsy Report is included in this case book. See **Exhibit A, Page 288.**

Deputy Personnel:

Deputy Richard Digiovanni sustained a "through and through" gunshot wound to his left shoulder area. He was transported and treated at Harbor General Hospital, in Torrance.

> **IAB Note:** Photographs of Deputy Digiovanni's injuries are included in this case book. See **Exhibit E**. When Deputy Digiovanni was treated at the scene, a fired bullet (**Exhibit A, Page 261, Item 12**) fell from his uniform shirt, as he removed it. The bullet was recovered by personnel from the Scientific Services Bureau. The bullet was analyzed and determined to have been fired from the suspect's firearm. A copy of the Supplemental Report regarding that analysis is included in this case book. See **Exhibit K**.

PHYSICAL EVIDENCE

The crime scene was approximately three blocks in size. Several expended bullet casings and bullet fragments were found throughout the scene. Bullet impacts were also found and documented.

> **IAB Note:** For a complete listing of physical evidence collected at the scene, see **Exhibit F, and Exhibit A, Page 256**.

DISTANCE

10 to 70 feet.

INVESTIGATOR OBSERVATIONS

Internal Affairs Bureau Investigators arrived to the scene approximately two hours after the incident. The crime scene is on Prairie Avenue, between 165th and 168th streets. Prairie Avenue is a north/south street, with two lanes in each direction. The street also contains a center turn lane. There are raised curbs on both the east and west side of the street, and both sides contain concrete sidewalks.

On the west side of Prairie Avenue there are a mix of single family residences, and one or two story duplexes. There are also several small apartment complexes. Alondra Golf Course is located on the east side of Prairie Avenue, which extends south to Redondo Beach Boulevard.

Investigators observed numerous black and white patrol vehicles parked on Prairie Avenue, just south of 167th Street. The patrol vehicles were from the Hawthorne Police Department, Gardena Police Department, El Camino College Police Department, and the Sheriff's Department. Investigators also noted that the deceased suspect was lying on the east sidewalk, approximately 90 feet south of 167th Street.

IAB Note: Photographs of the scene are included in this report. See **Exhibits D and G.** A sketch of the scene is also included, see **Exhibit F.**

REVIEW OF RADIO TRANSMISSIONS

The Internal Affairs Bureau Investigator reviewed the radio transmissions associated with the incident. Both the Working Channel (Dispatch 12), and the Local Tactical Channel (LTAC) were reviewed.

On the LTAC Channel, Deputies are heard coordinating their response to "Tag 221." They are later heard asking Lennox Station Dispatch if the address given in the call could be incorrect. The deputies are advised that the informant was shouting when she called, and they believe she said "152nd" Street. Deputy Digiovanni is heard telling Deputy Regalado to respond to "162nd," to see if that is the correct street.

The Lennox Station Dispatch personnel are then heard advising Deputy Digiovanni that the correct address is [redacted] and advised that there was a language barrier with the informant.

On Dispatch 12, two deputies are heard requesting emergency clearance, and for the "Patch." Deputy Regalado is heard advising that they have been involved in a shooting, and gives his location. He also advises that one suspect is "down," and a deputy has also been hit. Deputy Regalado requests for paramedics to respond to their location. Responding deputies, and the dispatcher, ask if there are any outstanding suspects, and if a containment is necessary. Deputy Regalado advises that there are no outstanding suspects, but deputies will be needed in order to control traffic at the scene.

After several units advise that they are responding, Deputy Regalado provides information regarding Deputy Digiovanni's injury. He also advises that the ambulance will need to be escorted to the hospital. During that transmission, Deputy Digiovanni can be heard shouting to the suspect "Don't reach for that gun." Deputy Digiovanni can be heard shouting that command to the suspect several times.

The Sheriff's Communications Center (SCC) Dispatcher asks the deputies to confirm that there are no outstanding suspects. She is advised that the suspect is down, but "keeps reaching for his gun." Approximately six minutes after the initial radio broadcast, deputies advise SCC that they are preparing to approach the suspect. Deputies then advise that there has been an additional shooting "998," and the suspect is "down."

IAB Note: A Compact Disc, containing the recordings of Dispatch Twelve, and the Local Tactical Channel, is included in this report. See **Exhibit H**.

LIGHTING AND WEATHER CONDITIONS

It was dark outside when the incident occurred (2228 hours). However, there were several street lights on Prairie Avenue which provided ambient lighting.

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Digiovanni:

Service Weapon Type:	Beretta 9mm Semi-Automatic
Rounds Fired:	Twenty two
Type of Ammunition Used:	Department Issued Luger (Win) Ranger SXT 147gr.
Date Employee Last Qualified:	[redacted]

IAB Note: An examination of Deputy Digiovanni's firearm indicated he had shot a total of twenty two rounds. Several expended, 9 MM, casings were recovered at the scene. See **Exhibit F**.

Deputy Regalado:

Service Weapon Type:	Beretta 9mm Semi-Automatic
Rounds Fired:	Nine
Type of Ammunition Used:	Department Issued Luger (Win) Ranger SXT 147gr.
Date Employee Last Qualified:	[redacted]

IAB Note: An examination of Deputy Regalado's firearm indicated he had shot a total of nine rounds. Several expended, 9 MM, casings were recovered at the scene. See **Exhibit F**.

Deputy [redacted]

Service Weapon Type:	Beretta 9mm Semi-Automatic
Rounds Fired:	Four
Type of Ammunition Used:	Department Issued Luger (Win) Ranger SXT 147gr.
Date Employee Last Qualified:	[redacted]

IAB Note: An examination of Deputy Alvarado's firearm indicated he had shot a total of four rounds. Several expended, 9 MM, casings were recovered at the scene. **See Exhibit F**.

Deputy Gooseberry:

Service Weapon Type:	Beretta 9mm Semi-Automatic
Rounds Fired:	Six
Type of Ammunition Used:	Department Issued Luger (Win) Ranger SXT 147gr.
Date Employee Last Qualified:	[redacted]

IAB Note: An examination of Deputy Gooseberry's firearm indicated she had shot a total of six rounds. Several expended, 9 MM, casings were recovered at the scene. **See Exhibit F**.

WEAPONS USED BY SUSPECT

The suspect's firearm was recovered at the scene. The firearm is a "Beretta," Semiautomatic pistol, 32 Caliber, Model "Tomcat," Serial Number [redacted] The chamber was loaded, and the magazine contained two cartridges. An expended 32 Caliber casing was recovered at the scene (**Exhibit A, Page 258**).

IAB Note: Photographs of the suspect's Firearm are included in this report. See **Exhibits D and G**.

PROPERTY DAMAGE

Several bullet impacts were observed on Sheriff's Department Patrol Vehicle Number SD5530. Based on Deputy Digiovanni's statements and the angle of his vehicle, it is apparent that the damage was caused by Deputy Digiovanni's service weapon and the suspect's firearm.

IAB Note: Photographs of Sheriff's Department Patrol Vehicle Number SD5530 are included in this case book. See **Exhibits D and G**.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigators: Homicide Bureau - Detectives Teri Bernstein #[redacted] and Dawn Retzlaff #[redacted]

Charges: No charges. Suspect deceased.

INVOLVED EMPLOYEE STATEMENTS

Involved Deputy Richard Digiovanni was interviewed by **Homicide Bureau** detectives Teri Bernstein and Dawn Retzlaff on November 6, 2009, at 1503 hours. The interview was conducted at the Santa Clarita Station, and was digitally audio recorded.

Deputy Digiovanni said he and Deputy Regalado responded to the suspect's home regarding a disturbance call. He said that upon their arrival they contacted the suspect's mother, Witness [redacted] He said that Witness [redacted] told him that the suspect had left the residence, and was carrying a handgun.

Deputy Digiovanni said he and Deputy Regalado began searching for the suspect. He said that they split up, but maintained communication via "direct" on their radio. Deputy Digiovanni said Deputy Regalado advised him that he had located the suspect at the Alondra Golf Course. He said he then began driving to that location.

Deputy Digiovanni said he joined Deputy Regalado, who was traveling south in the northbound lanes of Prairie Avenue. He said that he slightly passed Deputy Regalado's car, at which point he observed the suspect. He said the suspect retrieved a handgun from the waistband of his pants, and pointed it at him and Deputy Regalado. Deputy Digiovanni said the suspect then shot at him. He said he then initiated an assistance request via his radio.

Deputy Digiovanni said that he fired several rounds at the suspect, who began running south on the sidewalk. He said that as the suspect ran, he turned his body and pointed the gun at them again. Deputy Digiovanni said he shot additional rounds at the suspect, apparently striking him, causing him to fall, and drop the gun.

Deputy Digiovanni said they pulled their vehicles forward, and took cover behind them. He said he saw the suspect lying on the ground, and the gun was within arm's reach. He said he then began shouting to the suspect not to move, or reach for the gun. Deputy Digiovanni said that despite several orders, the suspect attempted to reach for the handgun. He said he then shot at the suspect, shooting approximately three to five times. Deputy Digiovanni said they again held the suspect at gunpoint, and shouted commands to him. He said the suspect again ignored their orders, and attempted to grab the gun. Deputy Digiovanni said he shot an additional volley of rounds at the suspect. He said that assisting officers and deputies arrived, and held the suspect at gunpoint. He said he then left his position, in order to be treated for his injuries. While being treated, he heard an additional volley of rounds being fired.

IAB Note: The Homicide Bureau Detectives summarized their interview with Deputy Digiovanni in a Supplemental Report included in this case book. See **Exhibit A, Page 119**. A Compact Disc, containing the audio recording of Deputy Digiovanni's interview, is also included in this case book. See **Exhibit I**.

Involved Deputy Richard Digiovanni was interviewed at **Internal Affairs Bureau** by Sergeants Carlos Flores and Eric Strong, on May 18, 2010, at 1115 hours. He was represented by Green and Shinee Attorney Mitch Kander. The interview was digitally audio recorded.

Deputy Digiovanni's statement and description of the incident during this interview was essentially the same as he provided to Homicide detectives. He then answered questions relative to tactics and training. Deputy Digiovanni said that throughout the incident, he was aware of the "backdrop;" the Alondra Golf Course. He said he never put himself in Deputy Regalado's field of fire, and Deputy Regalado never put himself in his (Deputy Digiovanni's). He stated that the lighting was such that he could clearly see the suspect, and the suspect's handgun.

Deputy Digiovanni said he fired a total of four separate times. He said that he fired "controlled bursts" each time. He said he fired each time because he feared for his safety and the safety of his partner. Deputy Digiovanni said he believes that the first volley of shots that he fired, he pointed his firearm at the suspect, and fired. He said that during the other three volleys of shots, he utilized his sights. Deputy Digiovanni said that he reloaded one time during the incident.

Deputy Digiovanni said that after he fired his last volley of rounds, officers from other agencies began to arrive. He said that an officer from the El Camino College responded from the south, and parked his vehicle just south of his location. He said he and Deputy Regalado began telling the officer to back his vehicle, in order to avoid a possible "crossfire" situation. Deputy Digiovanni said that after the officer backed his vehicle, he saw no other "crossfire" dangers. He said he utilized his patrol vehicle for cover.

> **IAB Note:** During his interview, Deputy Digiovanni was shown an aerial photograph of the scene. That photograph is included in this case book. See **Miscellaneous Documents, Photo 1**.

For Deputy Digiovanni's complete statements, refer to his verbatim interview transcripts.

Involved Deputy Anthony Regalado was interviewed by **Homicide Bureau** detectives Teri Bernstein and Dawn Retzlaff on November 4, 2009, at 0422 hours. The interview was conducted at the Lennox Station, and was digitally audio recorded.

Deputy Regalado said he and Deputy Digiovanni responded to the suspect's home regarding a disturbance call. Upon their arrival they contacted the suspect's [redacted] Witness [redacted]. Deputy Regalado said Witness [redacted] told them the suspect had left the residence, armed with a handgun. He said Witness [redacted] provided a brief physical description of the suspect.

Deputy Regalado said they left the location and began looking for the suspect. He said that he and Deputy Digiovanni searched different areas, but maintained contact via "direct" on their radio. Deputy Regalado said he responded to the Alondra Golf Course, and saw a male that matched the description given by Witness [redacted] He said he drove into the parking lot, and the male jumped over a brick wall, located on the southwest portion of the lot. He said the suspect then began walking south on the east sidewalk of Prairie Avenue.

Deputy Regalado said he exited the parking lot and began traveling south on Prairie Avenue. He said that as he neared the suspect's position, the suspect turned and retrieved a handgun from his waistband. Deputy Regalado said the suspect then pointed the gun at him. He said that fearing for his life, he fired several rounds at the suspect.

Deputy Regalado said he initiated emergency radio traffic, advising that he had been involved in a shooting. He said the suspect began running southbound, but turned and pointed his gun at him and Deputy Digiovanni. Deputy Regalado said that Deputy Digiovanni shot at the suspect, apparently hitting him. He said the suspect fell on the sidewalk, dropping his gun.

Deputy Regalado said they took a position of cover behind their vehicles, as they covered the suspect at gunpoint. He said they shouted to the suspect not to move towards the gun on the ground, but the suspect ignored their orders, and reached for the gun. He said that he then shot several rounds at the suspect.

Deputy Regalado said that assisting officers, and deputies, arrived on scene. He said that Deputy Gooseberry and Deputy [redacted] took a position next to his, as Deputy Digiovanni went to get treated by paramedics. Deputy Regalado said they again shouted for the suspect not to move towards the gun, but he ignored their orders. He said the suspect again reached for the firearm, at which point he and several other officers shot the suspect.

IAB Note: The Homicide Bureau Detectives summarized their interview with Deputy Regalado in a Supplemental Report included in this case book. See **Exhibit A, Page 112**. A Compact Disc, containing the audio recording of Deputy Regalado's interview is also included in this case book. See **Exhibit I**.

Involved Deputy Anthony Regalado was interviewed at **Internal Affairs Bureau** by Sergeants Carlos Flores and Eric Strong, on May 18, 2010, at 1251 hours. He was represented by Green and Shinee Attorney Mitch Kander. The interview was digitally audio-recorded.

Deputy Regalado's statement and description of the incident during this interview was essentially the same as he provided to Homicide detectives. He then answered questions relative to tactics and training. Deputy Regalado said that he was aware of his "backdrop" before he fired at the suspect.

Regalado said there was a large chain link fence, and a golf course behind the suspect. He said he and Deputy Digiovanni never put themselves in each other's field of fire. He stated that the lighting was such that he could clearly see the suspect, and the suspect's handgun.

Deputy Regalado said that he fired three separate times at the suspect. He said he fired at the suspect because he was in fear for his life. Deputy Regalado said he shot his firearm in a controlled manner, three to four rounds each time. He said he utilized his sights each time he fired. Deputy Regalado said he reloaded one time during the incident.

Deputy Regalado said that when officers from other agencies began to arrive, an officer parked his vehicle just south of his location. He said that he began telling the officer to back his vehicle, in order to avoid a possible "crossfire" situation. Deputy Regalado said that after the officer backed his vehicle, he saw no other "crossfire" dangers. He said he utilized the patrol vehicle for cover.

For Deputy Regalado's complete statements, refer to his verbatim interview transcripts.

Involved Deputy [redacted] was interviewed by **Homicide Bureau** detectives Teri Bernstein and Dawn Retzlaff on November 4, 2009, at 0513 hours. The interview was conducted at the Lennox Station, and was digitally audio recorded.

Deputy [redacted] said he was inside the Lennox Station, when he heard, via radio, that a deputy had been involved in a shooting. He said he responded to the location, and assisted Deputy Gooseberry and Deputy Regalado as they detained Suspect Aguiar at gunpoint. He said he took a position behind one of the patrol vehicles. He said the suspect was lying on the ground, and a handgun was within arm's reach of the suspect. He said he heard several officers shouting commands to the suspect, not to reach for the gun.

Deputy [redacted] said he saw the suspect reach for the firearm, at which point he shot several rounds at the suspect. He said that after the shooting, an arrest team approached and handcuffed the suspect.

> **IAB Note:** The Homicide Bureau Detectives summarized their interview with Deputy [redacted] in a Supplemental Report included in this case book. See **Exhibit A, Page 116**. A Compact Disc, containing the audio recording of Deputy [redacted] interview is also included in this case book. See **Exhibit I**.

Involved Deputy [redacted] was interviewed at **Internal Affairs Bureau** by Sergeants Carlos Flores and Eric Strong, on May 19, 2010, at 1422 hours. He was represented by Green and Shinee Attorney Mitch Kander. The interview was audio-recorded.

Deputy [redacted] statement and description of the incident during this interview was essentially the same as he provided to Homicide detectives. He then answered questions relative to tactics and training. Deputy [redacted] said that when he shot his firearm, he was aware that the backdrop was the golf course. He said that throughout the incident, his field of fire was clear, and he did not observe any crossfire danger.

Deputy [redacted] said he fired four rounds at the suspect, in a controlled manner. He said he utilized a "point and shoot" technique. Deputy [redacted] said he shot at the suspect because he feared for his and his partner's safety. He said that the lighting was such that he could clearly see the suspect, and the suspect's firearm. Deputy [redacted] said he utilized a patrol vehicle for cover.

IAB Note: During his interview, Deputy [redacted] was shown an aerial photograph of the scene. Deputy [redacted] was asked to mark his position, when the incident occurred. See **Miscellaneous Documents, Photo 3**.

For Deputy [redacted] complete statements, refer to his verbatim interview transcripts.

Involved Deputy Ericka Gooseberry was interviewed by **Homicide Bureau** detectives Teri Bernstein and Dawn Retzlaff on November 4, 2009, at 0543 hours. The interview was conducted at the Lennox Station, and was audio recorded.

Deputy Gooseberry said she was working routine patrol duties when she heard, via radio, that a deputy had been shot. She said she also heard that the suspect was down, but reaching for a gun. Deputy Gooseberry said she responded to the scene, and saw the suspect lying on the ground, and a handgun approximately one foot away. She said she then assisted Deputy Regalado in detaining the suspect at gunpoint.

Deputy Gooseberry said the suspect looked up at her, and she yelled out to the suspect not to move. She said the suspect then reached for the gun that was on the ground. Deputy Gooseberry said she then fired several rounds at the suspect.

IAB Note: The Homicide Bureau Detectives summarized their interview with Deputy Gooseberry in a Supplemental Report included in this case book. See **Exhibit A, Page 118**. A Compact Disc, containing the audio recording of Deputy Gooseberry's interview is also included in this case book. See **Exhibit I**.

Involved Deputy Ericka Gooseberry was interviewed at **Internal Affairs Bureau** by Sergeants Carlos Flores and Eric Strong, on May 19, 2010, at 1400 hours. She was represented by Green and Shinee Attorney Mitch Kander. The interview was audio-recorded.

Deputy Gooseberry's statement and description of the incident during this interview was essentially the same as she provided to Homicide detectives. She then answered questions relative to tactics and training. Deputy Gooseberry said that when she shot her firearm, she was aware that the backdrop was a golf course. She said that throughout the incident, her field of fire was clear, and she did not observe any crossfire danger.

Deputy Gooseberry said she fired several rounds at the suspect, in a controlled manner. She said that after the incident she was not certain how many rounds she had fired. Deputy Gooseberry said she utilized her firearm's sights when she fired. Deputy Gooseberry said she shot at the suspect because she feared for her and her partner's safety. She said that the lighting was such that she could clearly see the suspect, and the suspect's firearm. Deputy Gooseberry said she utilized a patrol vehicle for cover.

IAB Note: During her interview, Deputy Gooseberry was shown an aerial photograph of the scene. Deputy Gooseberry was asked to mark her position, when the incident occurred. See **Miscellaneous Documents, Photograph 2**.

For Deputy Gooseberry's complete statements, refer to her verbatim interview transcripts.

CIVILIAN WITNESSES

The residential neighborhood near the shooting scene was canvassed for any potential witnesses. The area was canvassed by Lennox Station Deputies, and Homicide Bureau Detectives.

Five witnesses were found at [redacted] and were interviewed by Compton Station Deputies Jennifer Valenzuela #[redacted] and [redacted] #[redacted] The deputies summarized their interviews on a Supplemental Report (**Exhibit A, Page 94**). Two of those witnesses, [redacted] and [redacted], were re interviewed by Homicide Bureau Detectives. The suspect's [redacted] [redacted] was also interviewed by Homicide Bureau Detectives.

Several other individuals stated they heard gunshots, but did not actually witness the shootings, nor did they have any knowledge of the circumstances surrounding the incident. The names of the residents contacted, and a summary of their statements are documented on Supplemental Reports, included in the Homicide case book (**Exhibit A**).

The following ten witnesses are members of the Hawthorne Police Department, Gardena Police Department, and the El Camino College Police Department. Eight of the ten witness officers also fired their weapons:

[redacted]

Witness [redacted] is a police officer with the Gardena Police Department. He was interviewed by Homicide Bureau Detective William Cotter #[redacted] on November 4, 2009, at 0226 hours. The interview was conducted at the Gardena Police Station, and was digitally audio recorded.

Witness [redacted] said that while working routine patrol duties, he was monitoring the Lennox Station radio frequency. He said he heard on the radio that a deputy had been injured and he responded to the scene. Witness [redacted] said he parked his vehicle south of where the Sheriff's Department patrol vehicles were parked. He said that he exited his vehicle, and positioned himself behind a Sheriff's patrol unit.

Witness [redacted] said he saw the suspect lying on the east sidewalk of Prairie Avenue. He said the suspect's right hand was extended, inches away from a handgun. He said he heard several deputies shouting commands to the suspect, and his full attention was directed at the suspect. Witness [redacted] said he saw the suspect push himself towards the handgun. He said fearing for his life he fired several rounds from his duty weapon (Beretta, Model 96, .40 Caliber Semi Automatic Pistol, 12 rounds fired) at the suspect.

IAB Note: Witness [redacted] interview was summarized by Homicide Bureau investigators. See **Exhibit A, Page 147**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

[redacted]

Witness [redacted] is a police officer with the Gardena Police Department. He was interviewed by Homicide Bureau Detectives Paul Fornier #[redacted] and Michael Caouette #[redacted], on November 4, 2009, at 0405 hours. The interview was conducted at the Gardena Police Station, and was digitally audio recorded.

Witness [redacted] said he responded to the scene with Witness [redacted] after hearing that a deputy was involved in a shooting. He said that upon his arrival he saw the suspect lying face down on the ground. He said he also saw a firearm, approximately one foot away from the suspect's right hand. Witness [redacted] said he saw the suspect moving towards the gun, and heard several deputies shouting to the suspect to stop moving. Witness [redacted] said he then heard numerous gunshots.

IAB Note: Witness [redacted] interview was summarized by Homicide Bureau investigators. See **Exhibit A, Page 182A**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

[redacted]

Witness [redacted] is a sergeant with the Hawthorne Police Department. He was interviewed by Homicide Bureau Detectives Robert Harris # [redacted] and Q. Rodriguez # [redacted], on November 4, 2009, at 0520 hours. The interview was conducted at the Hawthorne Police Station, and was digitally audio recorded.

Witness [redacted] said he was working routine patrol duties when he heard, via radio, that a deputy had been involved in a shooting. He said he heard that a deputy and a suspect were injured. Witness [redacted] said he responded, and upon his arrival parked his vehicle south of where he saw the other police units.

Witness [redacted] said he saw numerous officers at the scene, pointing their firearms at a suspect lying on the sidewalk. He said he also saw several law enforcement officers providing first aid to a deputy. Witness [redacted] said he took a position behind a Gardena Police Unit, which was parked on the street, facing the suspect. He said he saw a firearm lying next to the suspect's right hand, approximately six to twelve inches from the suspect's right hand.

Witness [redacted] said the suspect was reaching for the firearm on the ground, and he shouted to him to stop. He said the suspect "lunged" towards the gun, at which point he (Witness [redacted]) shot one round from his duty weapon (Beretta, Model 92FS, 9 Millimeter Semi Automatic Pistol, one round fired) at the suspect.

IAB Note: Witness [redacted] interview was summarized by Homicide Bureau investigators. See **Exhibit A, Page 163**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

[redacted]

Witness [redacted] is a Police Officer with the Hawthorne Police Department. He was interviewed by Homicide Bureau Detectives Robert Harris # [redacted] and Q. Rodriguez # [redacted], on November 4, 2009, at 0451 hours. The interview was conducted at the Hawthorne Police Station, and was digitally audio recorded.

Witness [redacted] said he was working routine patrol duties when he heard, via radio, that a deputy had been involved in a shooting. He said he heard that the deputy was "down." Witness [redacted] said he responded to the scene with his partner, Witness [redacted]. Upon their arrival, they parked their vehicle next to two Sheriff's vehicles on Prairie Avenue.

Witness [redacted] said he exited his vehicle and took cover behind a Sheriff's vehicle. He saw a male lying on the sidewalk, on his stomach. He said the male's right arm was extended out, and a firearm was lying approximately one foot away. He said he then held the suspect at gunpoint.

Witness [redacted] said the man was moving around and looking in the direction of the officers. He said he and others shouted commands to the suspect to stop moving.

Witness [redacted] said the suspect reached for the handgun with this right hand. He said that fearing for his life, he shot at the suspect several times with his duty weapon (Beretta, Model 92FS, 9 Millimeter, Semi Automatic Pistol, six rounds fired).

IAB Note: Witness [redacted] interview was summarized by Homicide Bureau investigators. See **Exhibit A, Page 160**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

[redacted]

Witness [redacted] is a Police Officer with the Hawthorne Police Department. He was interviewed by Homicide Bureau Detectives Robert Harris #[redacted] and Q. Rodriguez #[redacted] on November 4, 2009, at 0505 hours. The interview was conducted at the Hawthorne Police Station, and was digitally audio recorded.

Witness [redacted] said he was working routine patrol duties when he heard, via radio, that a deputy had been involved in a shooting. He said he heard that the deputy was "down." Witness [redacted] said he responded to the scene with his partner, Witness [redacted]. Upon their arrival, they parked their vehicle next to two Sheriff's vehicles on Prairie Avenue. He saw a male lying on the sidewalk, on his stomach. He said the male's right arm was extended out, and a gun lying nearby. Witness [redacted] said the man was moving around and looking in the direction of the officers. He said he and others shouted commands to the suspect to stop moving.

Witness [redacted] said the suspect reached for the gun, at which point he feared for his life and the lives of the other officers. He said he fired several rounds from his duty weapon (Beretta, Model 90-2, 9 Millimeter, Semi Automatic Pistol, nine shots fired) at the suspect.

IAB Note: Witness [redacted] interview was transcribed by Homicide Bureau investigators. See **Exhibit A, Page 176**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

[redacted]

Witness [redacted] is a Police Officer with the Hawthorne Police Department. He was interviewed by Homicide Bureau Detectives Robert Harris #[redacted] and Q. Rodriguez #[redacted] on November 4, 2009, at 0409 hours. The interview was conducted at the Hawthorne Police Station, and was digitally audio recorded.

Witness [redacted] said he was working routine patrol duties when he heard, via radio, that a deputy had been involved in a shooting. He said he responded with this partner, Witness [redacted]. He said that upon his arrival he saw the paramedics treating a deputy, and saw a male lying on the east sidewalk of Prairie Avenue. He said that he could not see the suspect's left hand, but he saw that his right hand was extended south. Witness [redacted] said he saw a small caliber handgun on the sidewalk, approximately one foot south of the suspect's hand.

Witness [redacted] said he took a position behind a Sheriff's vehicle, and held the suspect at gunpoint. He said the suspect was constantly moving, and at one point made a reach towards the gun. Witness [redacted] said that, fearing for his safety, he shot several rounds from his duty weapon (Beretta, Model 90-2, 9 Millimeter, Semi Automatic Pistol, five rounds fired) at the suspect. Witness [redacted] said that throughout the incident, he heard several officers shouting at the suspect, not to move, or reach for the gun.

IAB Note: Witness [redacted] interview was summarized by Homicide Bureau investigators. See **Exhibit A, Page 156**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

[redacted]

Witness [redacted] is a Police Officer with the Hawthorne Police Department. He was interviewed by Homicide Bureau Detectives Robert Harris #[redacted] and Q. Rodriguez #[redacted], on November 4, 2009, at 0430 hours. The interview was conducted at the Hawthorne Police Station, and was digitally audio recorded.

Witness [redacted] said he was working routine patrol duties when he heard, via radio, that a deputy had been involved in a shooting. He said he responded with this partner, Witness [redacted]. He said that upon his arrival he saw a male lying on the east sidewalk of Prairie Avenue. He said that he could not see the suspect's left hand, but he saw that his right hand was at his side. Witness [redacted] said he saw a small caliber handgun on the sidewalk, approximately one foot south of the suspect's hand.

Witness [redacted] said he heard several officers shouting commands to the suspect, telling him "Don't do it, drop the weapon." He said that the suspect looked in his direction and smiled. He said the suspect then reached towards the handgun with his right hand. Witness [redacted] said that fearing for his life he fired several rounds from his duty weapon (Beretta, Model 92FS, 9 Millimeter, Semi Automatic Pistol, seven rounds fired) at the suspect.

IAB Note: Witness [redacted] interview was transcribed by Homicide Bureau investigators. See **Exhibit A, Page 178**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

[redacted]

Witness [redacted] is a Police Officer with the Hawthorne Police Department. He was interviewed by Homicide Bureau Detectives Robert Harris #[redacted] and Q. Rodriguez #[redacted] on November 4, 2009, at 0347 hours. The interview was conducted at the Hawthorne Police Station, and was digitally audio recorded.

Witness [redacted] said he was working routine patrol duties when he heard, via radio, that a deputy had been involved in a shooting. He said he heard that a deputy had been hit, and the suspect was "down." Witness [redacted] said he responded, and upon his arrival he saw a male lying on the east sidewalk of Prairie Avenue. He saw several officers holding the suspect at gunpoint. Witness [redacted] said he saw a handgun on the sidewalk, approximately one foot away of the suspect's hand.

Witness [redacted] said he retrieved his rifle, and took a position behind a Gardena Police vehicle, parked on Prairie Avenue, facing east. He said he could hear several deputies shouting commands to the suspect. Witness [redacted] said the suspect pushed himself up, and reached for the gun. He said that he believed the suspect was going to pick up the gun and shoot at them. Witness [redacted] said he shot three rounds from his duty rifle (M16, A-1 Rifle, .223 Caliber, three rounds fired) at the suspect.

IAB Note: Witness [redacted] interview was transcribed by Homicide Bureau investigators. See **Exhibit A, Page 173**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I.**

[redacted]

Witness [redacted] is a Police Officer with the Hawthorne Police Department. He was interviewed by Homicide Bureau Detectives Robert Harris #[redacted] and Q. Rodriguez #[redacted] on November 4, 2009, at 0328 hours. The interview was conducted at the Hawthorne Police Station, and was digitally audio recorded.

Witness [redacted] said that he was at the Hawthorne Police Station, when he heard, via radio, that a deputy had been shot. He said he responded to the location, parking his vehicle approximately one to two blocks away, and ran to the scene. He said that upon his arrival he saw several other officers already present. Witness [redacted] said that the officers were pointing their weapons at a male who was lying on the east sidewalk of Prairie Avenue. He said he also saw a firearm on the ground, close to the suspect.

Witness [redacted] said he took a position behind a deputy's vehicle, alongside other officers. He said that he then held the male suspect at gunpoint. He said the man began moving around, even after being told not to by several of the officers. Witness [redacted] said the suspect reached towards the firearm, with his right hand.

[redacted] said that he (Witness [redacted]) feared for his life and fired two rounds from his duty weapon (Beretta, Model 92FS, 9 Millimeter, two rounds fired) at the suspect.

IAB Note: Witness [redacted] interview was summarized by Homicide Bureau investigators. See **Exhibit A, Page 153**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

[redacted]

Witness [redacted] is a police officer with the El Camino College Police Department. He was interviewed by Homicide Bureau Detectives Paul Fornier # [redacted] and Michael Caouette # [redacted] on November 4, 2009, at 0323 hours. The interview was conducted at the scene, and was digitally audio recorded.

Witness [redacted] said he was working his routine patrol functions, when he heard, via radio, that a deputy had been injured during a shooting. He responded to the location, parking his vehicle against the east curb line, south of the deputies' position. He said the deputies told him to back his vehicle a few feet, in order to avoid a possible cross fire situation.

Witness [redacted] said he saw the suspect lying face down on the east sidewalk. He said he also saw a metallic object within arm's reach of the suspect. Witness [redacted] said he heard several commands being given to the suspect to "stay on the ground." He said the suspect ignored the orders, and was subsequently shot by several officers and deputies. Witness [redacted] said he did not fire his weapon.

IAB Note: Witness [redacted] interview was summarized by Homicide Bureau investigators. See **Exhibit A, Page 182**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

[redacted]

Witness [redacted] is a 50 year old female who resides at [redacted] She is Suspect Aguiar's [redacted]. Witness [redacted] was interviewed by Homicide Bureau Detectives Robert Harris # [redacted] and Q. Rodriguez # [redacted] on November 3, 2009, at 1140 hours. She was interviewed a second time on November 4, 2009, at 0100 hours. The interviews were conducted on Prairie Avenue, at Manhattan Beach Place. The first interview was digitally audio recorded, and the second was video recorded.

Witness [redacted] said Suspect Aguiar had been using some type of drug for approximately seven days. She said the drug would make him "hallucinate," and "treat her badly, shouting profanities at her." Witness [redacted] said that during the day on November 3, 2009, she called her [redacted] (Suspect Aguiar) parole officer.

[redacted] said she was very worried about his behavior and called so that the parole officer could "check him." She said she also wanted the parole officer to take the suspect into custody.

IAB Note: Toxicology reports indicate that Suspect Aguiar had Methamphetamine and Amphetamine in his system, at the time of his death. See **Exhibit A, Page 304**.

Witness [redacted] said that Suspect Aguiar's parole officer (NFD) arrived to her home, and spoke to her [redacted], but did not take him into custody. She said her [redacted] continued to act paranoid, and would tell her that they needed to leave their home. She said the suspect began constantly walking up and down the stairs of her home, and had a gun in his hand.

Witness [redacted] said she became very nervous, and called the police, utilizing her [redacted] cell phone. She said that when she called the police, her [redacted] was outside in front of her home, running around with the gun in his hand.

IAB Note: A Compact Disc, containing the recordings of Witness [redacted] 911 calls are included in this case book. See **Exhibit H**. A transcript of the calls is also included.

Witness [redacted] said that when she called the police, they (desk personnel) had trouble understanding her, and she had trouble understanding them. She said that the police finally arrived, but her [redacted] had already fled on foot. She said she told the deputies that her [redacted] had left their home, and was carrying a gun.

IAB Note: Witness [redacted] interview was transcribed by Homicide Bureau investigators. The interview was conducted, and transcribed in Spanish. See **Exhibit A, Page 169**. A Compact Disc, containing the audio and video recordings of Witness [redacted] interviews are included in this case book. See **Exhibit I**. The Internal Affairs Bureau Investigator, Sergeant Carlos Flores, is fluent in Spanish, and reviewed the audio and video recordings.

[redacted] MW/31

Witness [redacted] is a 31 year old male who resides at [redacted] His home is located [redacted] from where the incident terminated. He was interviewed by Compton Station Deputies Valenzuela and [redacted] on November 3, 2009 at 0000 hours.

Witness [redacted] said he heard gunshots, and he looked out his bedroom window. He saw a male lying on the ground, moving his arms. He said he heard the two deputies tell the suspect to stop moving, but the suspect continued. He saw the deputies shoot the suspect approximately six times.

IAB Note: Witness [redacted] interview was summarized by Deputy Valenzuela. See **Exhibit A, Page 94**. Witness [redacted] expressed that he did not want to be re contacted by detectives. He was not re interviewed by Homicide Bureau Investigators.

[redacted], FW/26

Witness [redacted] is a 26 year old female who resides at [redacted]. Her home is located [redacted] from where the incident terminated. She was interviewed by Compton Station Deputies Valenzuela and [redacted] on November 3, 2009 at 0000 hours.

Witness [redacted] said she heard several gunshots, and she looked out her bedroom window. She said she saw a male lying on the ground, and two deputies shouting to him not to move. She said she saw the suspect moving, and the deputies shot him. Witness [redacted] said she then saw several other officers arrive. She said the suspect moved again, at which time he was shot by several of the officers.

IAB Note: Witness [redacted] interview was summarized by Deputy Valenzuela. See **Exhibit A, Page 94**. Witness [redacted] expressed that she did not want to be re contacted by detectives. She was not re interviewed by Homicide Bureau Investigators.

[redacted] MW/25

Witness [redacted] is a 25 year old male who resides at [redacted]. His home is located [redacted] from where the incident terminated. He was interviewed by Compton Station Deputies Valenzuela and [redacted] on November 3, 2009 at 0000 hours.

Witness [redacted] said he heard gunshots, and he looked outside from his bedroom window. He saw a male lying on the ground, and two deputies standing by their police vehicles. He said he heard the deputies tell the suspect not to move. Witness [redacted] said he saw the suspect reaching for something, and it appeared he had something in his hand. He said he saw the deputies fire two shots each at the suspect. Witness [redacted] said that he saw the suspect reaching again, at which time he was shot several more times.

IAB Note: Witness [redacted] interview was summarized by Deputy Valenzuela. See **Exhibit A, Page 94**. Witness [redacted] expressed that he did not want to be re contacted by detectives. He was not re interviewed by Homicide Bureau Investigators.

[redacted], FW/21

Witness [redacted] is a 21 year old female who resides at [redacted] [redacted]. Her home is located [redacted] from where the incident terminated. Witness [redacted] resides with her [redacted] Witness [redacted] Witness [redacted] was interviewed by Homicide Bureau Detectives Teri Bernstein and Dawn Retzlaff on November 21, 2009, at 0935 hours. The interview was conducted at Lennox Sheriff's Station, and was digitally audio recorded. Both Witness [redacted] and Witness [redacted] were interviewed at the same time.

Witness [redacted] said she was at home when she heard what sounded like firecrackers. She said she looked out her front window and saw police vehicle lights. She said she then ran to the second story of her home and again looked outside. Witness [redacted] said she saw two deputies standing outside of their police vehicles. She said the deputies were pointing their guns at a male who was lying on the ground. Witness [redacted] said that she retrieved her video camera and began filming the incident.

> **IAB Note:** Witness [redacted] provided the video recording to the Homicide Bureau detectives. A Compact Disc, containing a copy of the video recording is included in this case book. See **Exhibit J**.

Witness [redacted] said the male on the ground was looking back towards the deputies, and she heard the deputies tell the suspect to stop moving. She said the deputies shot at the suspect, so that he would stop reaching for his gun. Witness [redacted] said that several minutes later, additional officers arrived. Witness [redacted] said the suspect took hold of his gun, at which point the officers shot at the suspect.

> **IAB Note:** Witness [redacted] interview was summarized by Homicide Bureau investigators. See **Exhibit A, Page 141**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

[redacted] MW/22

Witness [redacted] is a 22 year old male who resides at [redacted] His home is located [redacted] from where the incident terminated. Witness [redacted] resides with his [redacted], Witness [redacted] Witness [redacted] was interviewed by Homicide Bureau Detectives Teri Bernstein and Dawn Retzlaff on November 21, 2009, at 0935 hours. The interview was conducted at Lennox Sheriff's Station, and was digitally audio recorded. Witness [redacted] and Witness [redacted] were interviewed at the same time.

Witness [redacted] statement was essentially the same as Witness [redacted] He stated that the first two deputies that encountered the suspect fired two volleys of gunfire, prior to the arrival of additional police officers.

[redacted] said he heard the deputies shout several commands to the suspect to stop moving, but the suspect kept moving. Witness [redacted] said he did not actually see the suspect's gun.

IAB Note: Witness [redacted] interview was summarized by Homicide Bureau investigators. See **Exhibit A, Page 141**. A Compact Disc, containing a recording of Witness [redacted] interview is included in this case book. See **Exhibit I**.

REVIEW OF VIDEO RECORDING

Witness [redacted] resides at [redacted] from where the incident terminated. She video recorded several minutes of the incident, utilizing her camcorder camera. She video recorded the incident from an upstairs bedroom window of her home. Witness [redacted] provided a copy of that video to Homicide Bureau investigators (**Exhibit J**).

The Internal Affairs Bureau Investigator reviewed the video recording provided by Witness [redacted]. On the recording, Deputy Digiovanni and Deputy Regalado can be seen taking cover behind their cars, pointing their firearms at the suspect. Suspect Aguiar can be seen lying on the east sidewalk of Prairie Avenue.

The deputies can be heard shouting commands at Suspect Aguiar, not to move, and not to reach for the gun. Suspect Aguiar can be seen moving his body, and reaching out with his hand. The deputies can then be seen shooting several rounds at Suspect Aguiar, and again shouting commands at him. Suspect Aguiar again reaches out with his hand, at which point the deputies shoot another volley of rounds at him. The deputies continue to shout commands after the second volley of shots.

Several sirens can be heard and numerous police cars can be seen arriving to the location. One police officer (later identified as Witness [redacted] from the El Camino College Police Department) approaches from the south, and parks his car directly south of Deputies Digiovanni and Regalado. The deputies can be heard telling Witness [redacted] to "move back."

Officers and deputies can then be seen arriving and taking positions of cover behind the police vehicles. A group of deputies can be seen to the north, and they appear to be formulating a plan to approach the suspect. The suspect appears to move several times, and the officers can be heard shouting commands at him. Witness [redacted] can also be heard saying that the officers are still shouting at the suspect, and the suspect is still moving. An Aero Unit can also be seen overhead.

At three minutes and thirty one seconds of the video, Suspect Aguiar can be seen again reaching out with his arm. Several gunshots are then heard, at which point Witness [redacted] stops the recording.

IAB Note: The Hawthorne Police Department also provided video footage from three "In Car" video recordings. Three of their patrol vehicles were equipped with the equipment, and were recording during the incident. Due to the positions that the vehicles were in, the video systems did not capture the incident. A Compact Disc, containing the recordings, is included in this case book. See **Exhibit J**.